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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,023	04/08/2004	Kerstin Churt	DSC-AP-204	1693

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EXAMINER

NGUYEN, DAVID Q

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,023

Applicant(s)

CHURT ET AL.

Examiner

David Q. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/08/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsumura (US 2002/0198028 A1).

Regarding claim 1, Tsumura discloses a method of announcing an individual apparatus to a system containing a central apparatus, which comprises the steps of: announcing the individual apparatus (see fig. 3A-3B; portable telephone set 50) to the system (see fig. 4; on board system 70) using optical communication (see pars. 0049-0056); and storing information about the individual apparatus in the system in the central apparatus (see par. 0050 and 0053).

Regarding claim 2, Tsumura also discloses wherein the announcing is effected to the central apparatus (see pars. 0049-0056).

Regarding claim 3, Tsumura also discloses announcing an intermediary apparatus (see fig. 4; optical communication device 36; and par. 0050) to the central apparatus (see par. 0050); announcing the individual apparatus to the intermediary apparatus resulting in an announcement (see par. 0050); and forwarding the announcement of the individual apparatus from the intermediary apparatus to the central apparatus (see par. 0050).

Regarding claims 4-9, Tsumura further discloses performing the optical communication unidirectionally from the individual apparatus doing the announcing to an apparatus for

registering the announcing (see pars. 0049-0056); after the announcing has occurred, outputting an acoustic confirmation signal by at least one of an apparatus registering the announcing and the central apparatus (see pars. 0049-0056); forming the system as a radio network (see pars. 0049-0056); forming the system as a data acquisition and data collection system (see pars. 0049-0056); performing the optical communication in an infrared range (see pars. 0047 and 0049-0056); forming the system as a consumption data acquisition and collection system (see pars. 0049-0056).

Regarding claim 10, Tsumura discloses an apparatus for communicating with at least one other apparatus, the apparatus comprising: an optical interface (see fig. 5, optical communication device 64) for implementing optical communication with the at least one other apparatus (see par. 0047), the optical communication providing information about the apparatus for announcing a presence of the apparatus to the at least one other apparatus (see pars. 0049-0056).

Regarding claim 11, Tsumura discloses a system, comprising: a first apparatus being a central apparatus (see fig. 4, onboard base station 74) having a first optical interface for performing optical communication (see fig. 4 and par. 0050); and a second apparatus selected from the group consisting of an individual apparatus and an intermediary apparatus and having a second optical interface for performing optical communication with said first optical interface (see fig. 4 and par. 0049-0056), the optical communication providing information about said second apparatus for announcing a presence of said second apparatus to said first apparatus (see fig. 4 and par. 0049-0056).

Regarding claims 12-13, Tsumura also discloses the system is a data acquisition and data collection system (see fig. 4 and par. 0049-0056); said central apparatus is a master data collector

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(see fig. 4 and par. 0049-0056); said intermediary apparatus is a data collector (see fig. 4 and par. 0049-0056); and said individual apparatus is a terminal apparatus and data communication between said apparatuses is effected by way of radio (see fig. 4 and par. 0049-0056); wherein the system is a consumption data acquisition and collection system (see fig. 4 and par. 0049-0056).

Regarding claim 14, Tsumura discloses a system, comprising: a first apparatus being a central apparatus having a first optical interface for performing optical communication (see explanation in claim 1); a second apparatus being an individual apparatus and having a second optical interface for performing optical communication (see explanation in claims 1 and 11); and a third apparatus being an intermediary apparatus and having a third optical interface for performing optical communication (see fig. 4; optical communication devices 36), said third optical interface communicating with said first and second optical interfaces (see fig. 4 and par. 0049-0056), the optical communication providing information about said second and third apparatuses for announcing a presence of said second and third first apparatuses to said first apparatus (see fig. 4 and par. 0049-0056).

Regarding claim 15, Tsumura also discloses wherein: the system is a data acquisition and data collection system; said central apparatus is a master data collector; said intermediary apparatus is a data collector; and said individual apparatus is a terminal apparatus and data communication between said first, second and third apparatuses is effected by way of radio (see fig. 4 and par. 0049-0056).

Regarding claim 16, Tsumura also discloses wherein the system is a consumption data acquisition and collection system (see fig. 4 and par. 0049-0056).

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Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Vonheim et al. (US 2004/0137845 A1) discloses method for transferring a device identifier block on a second communication link separated from the blue tooth link.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN

David Nguyen

J. Feild
JOSEPH FEILD
SUPERVISORY PATENT EXAMINER